SHIPMAN-RECOMMENDED LANGUAGE UPDATES

~~**5000.3T**~~
3541P

~~**STUDENTS**~~
BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

~~**This policy supersedes existing policies 3541P Transportation and 3541.3 Transportation Routes.**~~
~~**This policy will be reevaluated by the Board of Education post-pandemic.**~~

TRANSPORTATION

The Board of Education will provide transportation for students under provisions of state law and regulations. In determining the provision of transportation, the superintendent of schools shall consider the guidelines contained in this policy and shall administer the operation so as to:

1. provide for the safety of students, including consideration of hazardous conditions whether or not described in this policy;

2. provide for appropriate supervision for students while on school transportation, consistent with the Board's student discipline policy; and

3. assist disabled students by providing appropriate specialized transportation when required by law.

II. Definitions

1. "School transportation" means the procedure, program, or implemented plan by which a pupil is transported to and/or from school from ~~his/her~~ **the pupil's** residence or the assigned bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved and maintained by the municipality or the state of Connecticut, or private roads approved pursuant to C.G.S. Section 10-220c.

2. "Walking distance" means the linear measure of a prescribed or authorized pedestrian route between the pupil's residence and ~~his/her~~

the pupil's school from a point at the curb or edge of a public or private road nearest the pupil's residence to a point at the entrance of the school, or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the Colchester Board of Education.

3. "One mile walking distance" means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet, but not more than 5,380 feet.

4. "Grade K" means kindergarten, or a school program appropriate to a beginning pupil.

5. "Hazard" means a thing or condition, as prescribed in this policy under "Hazardous Conditions" that affects the safety of pupils walking to or from school and/or to or from a designated bus pick-up area.

6. "Sidewalk" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any white line safety markings along the street pavement.

7. "Raised walk area" means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.

8. "Walking route" means the route that the student is expected to travel between his/her residence to and from school and/or an assigned bus stop.

9. "Bus stop" shall be defined as a geographical location designated by the Board of Education, school administration or their designee where students can safely wait for purposes of embarking or disembarking a school bus.

10. "Pupil" means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

III. Provision of Transportation

Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned/leased facilities. The Board will request that parents volunteer to transport eligible students, without reimbursement, in order to reduce the number of students transported on buses to protect the health and safety of students and staff.

In determining the provision of transportation for resident public and eligible private school students, the following guidelines regarding walking distances will be considered. Distance measurements will be based on the most direct route from the student's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas.

1. The maximum walking distance from home or daycare to a prescribed bus stop/point of embarkation is as follows: a. For all students enrolled in K-5, driveway to driveway. b. For all students enrolled in Grades 6-8, three tenths of a mile. c. For all students enrolled in Grades 9-12, three tenths of a mile. 2. The maximum walking distance from home or daycare to the nearest allowable school entrance is as follows: a. For all students enrolled in K-5, one tenth of a mile. b. For all students enrolled in grades 6-8, three tenths of a mile. c. Students enrolled in grades 9-12, three tenths of a mile.

Students living within the stated distance limits will receive transportation when, in the opinion of the Superintendent of Schools, it is in the best interests of the district to provide transportation.

IV. Access to Bus Stops/Transportation **and Behavior**

Parents and/or guardians are responsible for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and/or the school building**,** compliance with ~~COVID-19 related~~ **health and safety** precautions at the bus stop and along walking routes, and the provision of supervision that is appropriate to the student's age, maturity and conditions along the walking route and/or at the bus stop at all times.

Given that bus pick up times may vary, the Board expects that parents and/or guardians will ensure that their children arrive at the bus stop in advance of any scheduled pick up time. ~~Bus pick up/drop off times and routes may change during the school year in connection with the COVID-19 pandemic and changing public health conditions. The Board will notify all parents and guardians in advance of such changes.~~

Students accessing school transportation are expected to behave in an appropriate manner, in accordance with all school rules and regulations. The Board's policies and procedures concerning student discipline shall apply to student behavior while accessing student transportation.

V. Hazardous Conditions

The administration shall consider the following guidelines for hazardous conditions when making decisions regarding the transportation of children:

1. Except as provided in Paragraph 7 of this Section, a street or road, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exist:

    a) For pupils under age ten, or enrolled in grades K through 3:

        (i) the absence of a pedestrian crossing light or crossing guard where three or more streets intersect, and a pupil is expected to cross the street; OR

        (ii) street crossings where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection, and a pupil is expected to cross the street.

    b) For pupils over age ten, or enrolled in grades 4 through 12, the absence of a traffic light or stop signs or crossing guard at an intersection where three or more streets intersect which has a traffic count which exceeds ninety vehicles per hour during the time that pupils are walking to or from school, and such pupils are expected to cross the street;

    c) For all pupils:

(i) any street, road, or highway with speed limits in excess of forty miles per hour which does not have pedestrian crossing lights or crossing guards or other safety provisions at points where pupils must cross when going to or from school or the bus stop; OR

(ii) the usual or frequent presence of any nuisance such as open man-holes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking areas at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.

2. Any street, road, or highway, along a designated walking route to or from school and/or to or from a designated bus pick-up area, that has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exist:

a) For pupils under age ten, or enrolled in grade K through 3:

(i) any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that pupils are walking to or from school; OR

(ii) any street, road, or highway possessing a speed limit in excess of thirty miles per hour.

b) For all pupils:

(i) the presence of ~~man~~ **human-**made hazards including attractive nuisances, as stated in 1(c)(ii) above; OR

(ii) any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet; OR

(iii) any roadway available to vehicles that, when plowed free of snow accumulations, does not have a minimum width of approximately twenty feet; OR

(iv) any street, road, or highway where the line-of-sight visibility together with posted speed limits do not permit

vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Department of Transportation, Division of Design Standard, or other reasonable standard.

3. Any walkway, path, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between pupils and the track; and any crossing of railroad tracks carrying moving trains during hours that pupils are walking to or from school or to and from a designated bus pick-up area shall be deemed hazardous unless:

   a) a crossing guard is present; OR

   b) for pupil under age ten, an automatic control bar is present at crossings; OR

   c) for pupils over age ten, a bar or red flashing signal light is operational.

4. For pupils in grades K through 4, the following conditions shall be deemed hazardous:

   a) a lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the pupil and the water; OR

   b) any area adjacent to a roadway, sidewalk, or bridge, along a designated walking route to or from school and/or to or from a designated bus pick-up area, having a drop of three or more feet per four feet of travel length on either side of the established lanes, in the absence of a fence or other suitable barrier.

5. For pupils in grades K through 8, walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous.

6. For all students, walking along any street, road, walkway, sidewalk, or path designated as a walking route which passes through an area which has a history of aggressive acts of molestation resulting in actual or

threatened physical harm or moral degradation during the hours when pupils ordinarily walk to or from school shall be deemed hazardous.

7. It shall not be a "hazard" or "hazardous condition" for a pupil whose residence abuts a public street, road or highway to (1) wait for the bus on the private property where the pupil resides for the school bus, until the school bus's flashing red lights are activated to stop traffic so that the student can enter onto or cross the public street, road or highway to get on a school bus; or (2) exit a school bus that is stopped on the public street, road or highway, when the bus's flashing red lights are activated to stop traffic so that the pupil can enter onto or cross such street, road or highway to access the private property where the pupil resides.

VI. Applicability and Exceptions

1. This policy is applicable to public roads approved and maintained by the municipality or state of Connecticut, or private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.

2. Special Education pupils and pupils eligible for accommodations under Section 504 of the Rehabilitation Act shall be judged on an individual basis, and appropriate transportation provided.

3. The Superintendent of Schools may grant an exception to any guideline set forth in this policy where a peculiar condition or combination or conditions renders such condition(s) a hazard based upon reasonable judgment; or where under the circumstances, other conditions exist under which the safety of students necessitates a variance with the guidelines within this policy.

VII. Complaint Procedure

All complaints concerning school transportation safety shall be made in writing to the Superintendent of Schools or designee. The Superintendent or designee shall maintain a written record of all such complaints, and shall conduct appropriate investigations of the allegations in a timely manner. The investigation shall include 1) the review of the complaint raised with appropriate personnel responsible for transportation of students and 2) the opportunity for the parent or other person making the complaint to meet with the Superintendent to discuss the complaint and any possible resolution thereof. If a complaint covered by Section 10-186 of the Connecticut General Statutes, and is not

resolved by the Superintendent, the Superintendent shall inform parent or guardian, or an emancipated minor or a pupil eighteen years of age or older, of ~~his or her~~ **the** right to request a hearing regarding the complaint. Such hearing, if requested, shall be held in accordance with Section 10-186 of the Connecticut General Statutes, as it may be amended from time to time.

Legal Reference: Connecticut General Statutes

10-186 Duties of local and regional boards of education re: school attendance. Hearings. Appeals to state board. Establishment of hearing board. Readmission. Transfers.

10-187 Appeal from finding of hearing board.

10-220 Duties of boards of education.

10-220c Transportation of children over private roads. Immunity from Liability.

10-221c Development of policy for reporting complaints regarding school transportation safety.

10-273a Reimbursement for transportation to and from elementary and secondary schools.

10-280a Transportation for students in non-profit private schools outside school district.

10-281 Transportation for pupils in nonprofit private schools within school district.

14-275 Equipment and color of school buses.

14-275b Transportation of mobility impaired students.

14-275c Regulations re: school buses and motor vehicles used to transport special education students.

TEMPORARY POLICY ADOPTED: August 17, 2020

POLICY PERMANENTLY ADOPTED: November 9, 2021 (Replaced 5000.3T temporary COVID-19 policy